



USSN: 09/851,271
Atty. Dkt. No.: 8325-2006
G6-US

PATENT

CERTIFICATE OF MAILING PURSUANT TO 37 CFR § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 10, 2004.

2/10/04
Date

Michelle Hobson
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

CHOO et al.

Serial No.: 09/851,271

Filing Date: May 8, 2001

Title: SCREENING SYSTEM FOR ZINC FINGER
POLYPEPTIDES FOR A DESIRED BINDING
ABILITY

Examiner:

Group Art Unit: 1631

Confirmation No.: 3441

Customer No.: 20855

ISSUE FEE TRANSMITTAL

Mail Stop Issue Fee
Commissioner for Patents
P. O. Box 1450
Arlington, VA 22313

Dear Sir:


Transmitted herewith for filing are the following documents in the above patent application:

- ☒ Issue Fee Transmittal PTOL-85-B (1 page) *in duplicate*
- ☒ Comments on Examiner's Statement of Reasons for Allowance (2 pages)
- ☒ Verified Statement Claiming Small Entity Status (2 pages)
- ☒ Check in the amount of \$974.00 (\$665.00 – issue fee, \$300.00 – publication fee and \$9.00 – advance copy fee)
- ☒ A return receipt postcard

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 18-1648.

Respectfully submitted,

Date: February 10, 2004

By: 
Dahna S. Pasternak
Registration No. 41,411

ROBINS & PASTERNAK LLP
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Palo Alto, CA 94303
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COMMENTS ON EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

COMMENTS ON EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

Applicants gratefully acknowledge allowance of claims 1-13 in the present application.

In the "Reasons for Allowance" attached to the Notice of Allowability, it was stated:

Choo et al. (WO 96/06166, reference AB in the Form PTO 1449 filed 08 May 2001) shows on page 11 a suggestion to try methods of selection of zinc finger proteins other than phage display, such as stalled polysomes. Choo et al. merely suggests trial of polysome display for zinc finger selection without providing detailed guidance, evidence, or working examples that such selection by polysome display is effective. Absent such evidence the suggestion of Choo is merely an invitation for further experimentation.

Applicants note, in addition, that WO 96/06166 refers only to the possibility of using the stalled polysome method for selection of polypeptides from large libraries containing all combinations of zinc fingers selected by all possible triplet sequences.

By contrast, the allowed claims recite the use of polysome display for selection of zinc finger proteins that have been prepared according to design rules and subsequently varied at one or more positions. The concept of preparing zinc finger nucleic acid binding polypeptides according to design rules, then varying such designed proteins, is not disclosed in WO 96/06166.

Applicants thank Examiner Brusca for the careful and thoughtful attention that has been given to this application during its prosecution.

FOREIGN PRIORITY

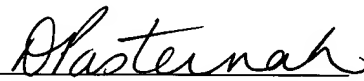
Applicants note that Box 4 was not checked on the Notice of Allowance. However, as indicated on the Office Action mailed July 30, 2003, the Office had received all certified copies of the foreign priority documents and this application's claim to foreign priority has been acknowledged. (Box 13 of Office Action mailed July 30, 2003).

SMALL ENTITY STATUS

Submitted herewith is a verified statement claiming small entity status. Accordingly, Applicants submit a check in the amount of \$665.00 for payment of the issue fee.

Respectfully submitted,

Date: February 10, 2004

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